

John Boehner  
Chairman  
8th District, Ohio

*House Meets at 9:00 a.m. for Legislative Business*

*Anticipated Floor Action:*

**Motion to Go to Conference on H.R. 1119 (FY 1998 Defense Authorization Act)**  
**H.R. 2203—FY 1998 Energy & Water Appropriations Act**  
**H.R. 2209—FY 1998 Legislative Branch Appropriations Act**



**Motion to Go to Conference on H.R. 1119 (FY 1998 Defense Authorization Act)**

**Floor Situation:** Mr. Spence or a designee may offer a motion to go to conference on H.R. 1119 after the House debates the rule for H.R. 2209. Such a motion usually takes the form of a unanimous consent request. A motion to instruct may be made immediately after this request and before the chair appoints conferees. Instructions are considered the prerogative of the minority and are debatable for one hour.

**Summary:** The motion, if agreed to, establishes a House-Senate conference to resolve differences between the House version of H.R. 1119—which passed the House by a vote of 304-120 on June 25, 1997—and the Senate version (S. 924), which passed the Senate by voice vote on July 11. Once agreed to, the motion permits the chair to appoint conferees. Details of a possible motion to instruct were unavailable at press time.

**Views:** The Republican Leadership supports the motion to go to conference, and opposes any motion to instruct conferees that would weaken the position of House negotiators.

**Additional Information:** See *Legislative Digest*, Vol. XXVI, #17, Pt. II, June 16, 1997.



## H.R. 2203—FY 1998 Energy and Water Appropriations Act

**Floor Situation:** The House will continue consideration of H.R. 2203 after it appoints conferees on H.R. 1119. Yesterday, the House completed general debate and began considering amendments under an open rule. The rule waives House rules which prohibit unauthorized appropriations, legislative provisions in an appropriations bill, and reappropriations. It accords priority in recognition to members who have their amendments pre-printed in the *Congressional Record*. The chairman of the Committee of the Whole may postpone votes and reduce the voting time on a postponed vote to five minutes, provided that it follows a regular 15-minute vote. Finally, the rule allows one motion to recommit, with or without instructions.

**Summary:** H.R. 2203 appropriates \$20 billion in new budget authority for FY 1998 for the Department of Energy and related programs, \$573 million less than last year and \$2.6 billion less than the president's request. The amount is approximately equal to the subcommittee's 602(b) allocation for discretionary spending.

The vast majority of the bill's funding, \$15.3 billion, goes to various programs run by the Department of Energy (DOE), \$474.7 million less than last year and \$3.2 billion less than the president's request. Of this amount, \$160 million is provided to fund general nuclear waste disposal activities.

The bill also allocates \$4 billion to the Army Corps of Engineers, \$188 million less than FY 1997 and \$550 more than the president's request, to maintain and expand the nation's waterway, flood control, and irrigation infrastructure. Finally, the bill appropriates \$910 million to the Interior Department, mostly for the Bureau of Reclamation, and \$194 million for related independent agencies.

CBO estimates that the bill will result in outlays of \$13.1 billion in FY 1998, \$5.9 billion in FY 1999, \$832 million in FY 2000, \$68 million in FY 2001, and \$35 million in FY 2002 and beyond. The bill was submitted by Mr. McDade and was ordered printed by the Appropriations Committee.

### Views (on the overall bill):

**Republican Leadership:** Supports

**Chairman Livingston (Full):** Supports

**Chairman McDade (Sub):** Supports

**Clinton Administration:** Opposes

**Amendments:** On Thursday, the House completed debate, but did not vote, on the following amendments:

- \* an amendment by **Mr. Klug** to cut \$90 million from the amount provided to the Appalachian Regional Commission (ARC), which currently receives \$160 million. Supporters of the amendment argue that ARC should receive federal support for road development through specific transportation appropriations, as do all other states. Opponents of the amendment argue that while Appalachian roads have improved over recent years, there are still many areas that are not accessible, and the poor road system hinders further economic development in one of America's most depressed areas. *Staff Contact: Jeff Ehrenberg, x5-2906*

- \* an amendment by **Mr. Markey** to eliminate funding for the Defense Environmental Restoration and Waste Management account for pyroprocessing, which currently receives an appropriation of \$45 million. Pyroprocessing, or electrometallurgical waste treatment, is a chemical procedure that is being developed by the Department of Energy to prepare spent nuclear fuel for environmentally safe disposal by reducing the volume of nuclear waste. The members argue that the project was created to treat spent fuel from a reactor—the advanced liquid metal reactor—that has been terminated, and that Congress should consider funding better alternatives to pyroprocessing spent fuel. In addition, they believe that the procedure is contrary to U.S. nonproliferation policy and will increase access to nuclear weapons material. Bill supporters argue that the process is essential for environmental health and safety, as it is potentially the most efficient method to treat spent fuel. They also counter that electrometallurgical waste treatment is not a proliferation risk, as it cannot separate plutonium. *Staff Contact: Michael Freedhoff (Markey), x5-2836; Len Wolfson (Shays), x5-5541*
- \* an amendment by **Mr. Petri** to prohibit the Department of Energy from providing funds for the Animas-La Plata water project in Colorado, a \$744 million project that was started in 1968 to deliver water to the Ute Indian tribes. To date, \$71 million has been spent for development. Supporters argue that the project is too costly and environmentally damaging and will not live up to its promises, as the water supply stops 10 miles away from reservation land. Opponents to the amendment argue that even though the bill does not include specific funding for the project, DOE must be allowed to use unobligated funds for the project in order to satisfy the water right claims of the Ute tribe. *Staff Contact: Katy Birschbach, x5-2476*
- \* a substitute amendment to the Petri amendment offered by **Mr. Fazio** to prohibit funding for the Animas-La Plata Water project in Colorado *except* for activities which are (1) required to comply with current law, and (2) pursuant to the Colorado Ute Indian Water Rights settlement. The member argues that Congress has a responsibility to carry through with its promise to bring water to the Ute tribe. *Contact: x5-5716*

**Other Amendments:** At press time, the *Legislative Digest* was aware of the following other amendments to H.R. 2203:

**Ms. Furse or Mr. Norwood** may offer an amendment to permanently retire the Fast Flux Test Facility (FFTF) that is part of the Hanford Nuclear Reservation in Washington state. The FFTF was a test reactor that was completed in 1980 and terminated three years later. Since then, DOE spends \$40 million per year to maintain the idle facility and keep it in “hot standby” for potential tritium production, which is used in certain nuclear weapons. Supporters argue that the money can be better spent elsewhere, as tritium can be manufactured by a private contractor if necessary. *Staff Contact: Marie Rietmann (Furse), x5-9497; Chris Giblon (Norwood), x5-4101*

**Mr. Gibbons** may offer two amendments (#2 and #3) to (1) allow DOE to provide \$1.5 million from the Nuclear Waste Disposal Fund for the state of Nevada, as well as \$6.2 million to local governments, to conduct scientific oversight duties required by the Nuclear Waste Policy Act, and (2)

prohibit funds from the Nuclear Waste Disposal Fund to be used to build an interim nuclear waste storage facility. The member argues that before the federal government continues building a permanent site or an interim site, further research needs to be done to evaluate the benefits and risks of transporting nuclear waste to a central location and to determine if Yucca Mountain is the best site for it. *Staff Contact: Stephen Swan, x5-6155*

**Additional Information:** See *Legislative Digest*, Vol. XXVI, #21, July 18, 1997.



PLEASE NOTE: UNDER AN OPEN RULE, MEMBERS MAY OFFER ENTIRELY NEW AMENDMENTS TO A BILL AT ANY TIME, REGARDLESS OF WHETHER THEY HAVE BEEN PRE-PRINTED IN THE *CONGRESSIONAL RECORD*.

## **H.R. 2209—FY 1998 Legislative Branch Appropriations Act**

**Floor Situation:** The House is scheduled to consider H.R. 2209 after it completes consideration of H.R. 2203. Appropriations bills are privileged and may be considered any time three days after they are filed; they do not require a rule for consideration. Nevertheless, yesterday the Rules Committee granted a modified closed rule providing one hour of general debate, equally divided between the chairman and ranking minority member of the Appropriations Committee. The rule waives certain points of order against consideration of the bill as well as House rules prohibiting unauthorized appropriations, legislative provisions in an appropriations bill, and reappropriations. It makes in order four amendments, to be debated in the order listed and for the amount of time specified below. The chairman of the Committee of the Whole may postpone votes and reduce the voting time on a postponed vote to five minutes, provided that it takes place immediately following a 15-minute vote. Finally, the rules provides for one motion to recommit, with or without instructions.

**Summary:** H.R. 2209 appropriates \$1.7 billion for the House of Representatives and other legislative branch operations—\$9.7 million less than in FY 1997. Specifically, the bill provides (1) \$708.7 million for the House of Representatives (a \$24.6 million increase over last year), (2) \$642.3 million for related agencies, such as the Library of Congress and the non-congressional work of the Government Printing Office (a \$34.6 million decrease from last year), and (3) \$87 million for joint functions of the House and Senate (a \$1.5 million decrease below the FY 1997 level). The bill does not include spending for the operation of the Senate. This year, the Senate has already completed action on its version, which appropriates \$460.3 million for Senate operations. Including Senate funding, the bill's total spending will likely be close to \$2.2 billion (the same level as in FY 1997).

### **Views (on the overall bill):**

**Republican Leadership:** Supports

**Chairman Livingston (Full):** Supports

**Chairman Walsh (Sub):** Supports

**Clinton Administration:** No Position Available

**Amendments:** As stated above, the rule makes in order the following four amendments, debatable in the order listed and for the amount of time specified below.

**Mr. Davis (VA)** will offer an amendment, debatable for 10 minutes, to allow the Chief Administrative Officer to donate surplus information technology equipment (i.e., computers, printers, file servers) to District of Columbia schools in FY 1998. **Staff Contact: Peter Sirh, x5-1492**

**Mr. Fazio** will offer an amendment, debatable for 30 minutes, to eliminate funds in the bill to increase the number of staff on the Joint Committee on Taxation (JCT). Instead, the amendment provides a 2.8 percent cost of living adjustment for current JCT staff. **Staff Contact: Steve Mariglio, x6-3210**

**Mr. Klug** will offer an amendment, debatable for 10 minutes, to reduce the number of full-time equivalent (FTEs) staff in the Government Printing Office by 350 (from 3,550 to 3,200). Supporters estimate that the amendment will result in savings of \$17.5 million. **Staff Contact: Pat Browne, x5-2906**

**Mr. Roemer and Mr. Camp** will offer an amendment, debatable for 10 minutes, to require that, at the end of the fiscal year, any unspent congressional office funds in the Members' Representational Allowance be returned to the U.S. Treasury for federal deficit reduction. **Staff Contact: Pete Spiro (Roemer), x5-3915**

**Additional Information:** See *Legislative Digest*, Vol. XXVI, #21, July 18, 1997.




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